

REMARKS

The final Office Action of August 9, 2004 has been thoroughly considered and this Amendment is in response thereto. By the present amendment, Applicant amends claims 19-22, and adds new claims 69-75. Claims 1-27, 40-45, 47, 49-51, 53-56, and 63-68 stand allowed. Claims 1-28, 30, 32, 33, 36-45, 47, 49-51, and 53-75 are pending after entry of the present amendment. Reconsideration and allowance of the instant application are respectfully requested.

The final Office Action rejected claims 19-22 under 35 U.S.C. § 112, second paragraph, as being indefinite. The Applicant has amended claims 19-22, as suggested by the final Office Action, to correct typographical and clerical errors, and submits that claims 19-22 are now in condition for allowance.

Claims 30 and 57-61 stand rejected under 35 U.S.C. § 102(a) as being anticipated by Smith et al. (U.S. Pub. No. US 2002/0158838 A1).

Claims 28, 32, 33, and 36-38 stand rejected under 35 U.S.C. § 102(a) as being anticipated by Smith et al. or, in the alternative, under 35 U.S.C. § 103(a) as obvious over Smith et al.

Claims 39 and 62 stand rejected under 35 U.S.C. § 103(a) as obvious over Smith et al. in view of Brisebois et al. (U.S. Pub. No. US 2001/0043189 A1).

The primary reference cited in each rejection is Smith, which has a filing date of April 30, 2001, whereas the filing date of the present application is November 20, 2001. Therefore, Applicants submit concurrently herewith a Declaration Under 37 C.F.R. § 1.131 establishing invention of the subject matter of the rejected claims prior to the effective date of Smith.

With Smith having been removed as an applicable reference, all the rejections are respectfully traversed. Should the Office deem the attached Declaration insufficient, applicants reserve the right to provide additional evidence and/or to provide arguments over Smith based on the merits of the reference, and more specifically, based on deficiencies of Smith as compared to the pending claims.

The Applicant has added new claims 69-75. The new claims are supported by the original specification at least at paragraphs 28-29. No new matter has been added. The new claims are all dependent on allowed claims, and thus no new search is required.


All issues having been addressed, Applicant respectfully submits that the instant application is in condition for allowance, and respectfully solicits prompt notification of the same. If there are any questions, the examiner is invited to contact applicants' undersigned representative at the number noted below.

Respectfully submitted,

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By:



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